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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,930	04/08/2004	Anthony Catalano	TAG-001-US-n	8748
21833	7590	07/12/2005	EXAMINER	
PRITZKAU PATENT GROUP, LLC 993 GAPTER ROAD BOULDER, CO 80303			VO, TUYET THI	
			ART UNIT	PAPER NUMBER
			2821	
DATE MAILED: 07/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,930

Applicant(s)

CATALANO, ANTHONY

Examiner

Tuyet Vo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-62 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 50-55 and 57-62 is/are rejected.
7) ☒ Claim(s) 56 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/8/04 & 6/29/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “920” has been used to designate both the parabolic reflector and heat sink devices (see specification page 16 line 15 and page 17, line 16). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the solid state light source emanates a light out of a given area directly and indirectly or only directly or only indirectly by means of reflection must be shown or the features canceled from the claims 50 and 58. The Figure 9 supports only one scenario such as directly and indirectly while the term “and/or” requires three scenarios of light source emitting. No new matter should be entered.

The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures.

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The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Regarding line 1 of claims 50 and 58, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations "flashlight" following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

5. Claims 51-57 and 59 are rejected due to their virtual dependency on the defective claims 50 and 58. Correction made to claim 1 would also alleviate unclarity toward claims 51-57 and 59 as well.

6. Claim 62 recites the limitation "said last mentioned axis" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. For best understood, claims 50, 58 and 60 are rejected under 35 U.S.C. 102(b) as being anticipated by Ignon et al. (US Pat. 5,097,180), hereinafter Ignon.

Like claim invention, Ignon discloses an illumination device (Figs. 4 and 5) comprising:

A housing (10,11) having a reflecting lens arrangement supported therewith, the lens arrangement including light reflector surface segments (top and surrounding surfaces) circumscribed a given area which defines a forward extending central axis of illumination; and

An illumination assembly including a printed circuit board (14) having a front surface and a back surface, a light source (12) on the front surface, a control circuitry connected to a power source via the light source and printed on at least one of surfaces of the printed circuit board, the light source is disposed within the given area in a way it causes light out of the given area directly by means of reflection in a forward direction extending central axis of illumination.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. For the best understood, Claims 51-53, 59, 61 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ignon in view of Barlian et al. (US Pub. 2003/0210552), hereinafter Barlian.

Regarding claim 53, 59 and 61, Ignon discloses substantially the claim invention as noted above except for the light source is a light emitting diode.

Barlian discloses an indicating light employing a light emitting diode (12) deposited on a front surface of a printed circuit board (10) which is within a reflective housing (9).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a light emitting diode as taught by Barlian into the Ignon illumination system in order to extend the illumination time due to a long useful life of LED.

Regarding claims 51, 52 and 62, Ignon in view of Barlian discloses substantially the claim invention and Barlian further teaches a control circuit (13) is printed on the back surface of the PCB (10), wherein the front and back of the PCB are extended axially in a given area defined by housing (9).

11. For the best understood, claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ignon in view of Incerti (US Pat. 6,218,785).

Ignon discloses substantially the claim invention as noted above except for the surfaces of the PCB is oriented parallel with the forwardly extending central axis of the illumination such that the light source directs some of its light normal to the central towards some of the light reflecting surface segments.

Incerti discloses a lighting device comprising an LED (2) deposited on a PCB (3) with a reflective housing (8) in that the surfaces of the PCB is oriented parallel with the forwardly extending central axis of the LED (2) such that the light source directs some of its light normal to the central towards some of the light reflecting surface segments (11, 12).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to arrange the PCB associated with the LED and the reflectively segmented housing in manner as taught by Incerti into the Ignon illumination system in order to maximize the illumination light output. Such implementation is considered as a routine skill in the art.

12. For the best understood, claims 55 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ignon in view of Serizawa (US Pub. 2003/0067787).

Ignon discloses substantially the claim invention as noted above except for an elongate front surface of PCB having plurality of LEDs space apart to one another thereon.

Serizawa discloses a light source for vehicle lamp comprising a reflective housing enclosing an elongate PCB having plurality of LEDs space apart to one another thereon.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the elongate PCB holding a number of LEDs within a reflective house as taught by Serizawa into the Ignon illumination system in order to achieve illumination light in any arrangement for any particular design. Such implementation is considered as a routine skill in the art.

Allowable Subject Matter

13. Claim 56 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter: the prior fails to establish a printed circuit board includes opposite lengthwise ends and wherein a circuitry includes first and second electrically conductive bumps on the lengthwise ends serving as an electrical input and output, respectively as required in claim 56.

Citation of pertinent prior art

15. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Siktberg et al. (US Pub. 2005/0052865) discloses lamp housing containing an integrated LED support structure.

Barlian et al. (US Pub. 2003/0210552) discloses indicating light.

Deese (US Pub. 2003/0112627) discloses flexible sign illumination apparatus, system and method.

Serizawa (US Pub. 2003/0067787) discloses vehicle lamp.

Sivacumarran (US Pat. 6,727,652) discloses lamp assembly.

Martineau (US Pat. 6,644,841) discloses light emitting diode reflector.

Incerti (US Pat. 6,218,785) discloses low-tension lighting device.

Chien (US Pat. 5,465,197) discloses portable light.

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Ignon et al. (US Pat. 5,097,180) discloses flickering candle lamp.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuyet Vo whose telephone number is 571 272 1830. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.



Tuyet Vo

Primary Examiner

July 08, 2005